



General Assembly

Substitute Bill No. 845

January Session, 2003

AN ACT CONCERNING MANDATORY OVERTIME IN HEALTH CARE FACILITIES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2003*) (a) As used in this
2 section:

3 (1) "Employee" means an individual employed by a hospital who is
4 involved in direct patient care services and who receives an hourly
5 wage; and

6 (2) "Hospital" shall have the same meaning as set forth in section
7 19a-490 of the general statutes.

8 (b) No hospital may require an employee to work in excess of a
9 predetermined scheduled work shift, provided such scheduled work
10 shift is determined and promulgated not less than forty-eight hours
11 prior to the commencement of such scheduled work shift. Any
12 employee may volunteer or agree to work hours in addition to such
13 scheduled work shift but the refusal by an employee to accept such
14 additional hours shall not be grounds for discrimination, dismissal,
15 discharge or any other penalty or employment decision adverse to the
16 employee.

17 (c) The provisions of this section shall not apply: (1) To any
18 employee participating in a surgical procedure until such procedure is

19 completed; (2) to any employee working in a critical care unit until
20 such employee is relieved by another employee who is commencing a
21 scheduled work shift; (3) in the case of a public health emergency; or
22 (4) in the case of an institutional emergency, including, but not limited
23 to, adverse weather conditions, catastrophe or widespread illness, that
24 in the opinion of the hospital administrator will significantly reduce
25 the number of employees available for a scheduled work shift,
26 provided the hospital administrator has made a good faith effort to
27 mitigate the impact of such institutional emergency on the availability
28 of employees, unless a collective bargaining agreement provides
29 otherwise.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

LAB

Joint Favorable C/R

PH

PH

Joint Favorable Subst.